

**HALIFAX REGIONAL MUNICIPALITY
BY-LAW M-300
RESPECTING MICROMOBILITY**

BE IT ENACTED by the Council of the Halifax Regional Municipality under the authority of section 305B of the *Motor Vehicle Act*, RSNS 1989, c 293 and section 188 of the *Halifax Regional Municipality*, SNS 2008, c 39, as follows:

Short Title

1. This By-law shall be known as By-law M-300, the *Micromobility By-law*.

Interpretation

2. In this By-law,
 - (a) “bicycle lane” means a marked lane on a roadway designated by a traffic sign for the use by bicyclists;
 - (b) “CAO” means the Chief Administrative Officer of the Halifax Regional Municipality;
 - (c) “electric kick-scooter” means a vehicle that is operated in a standing position and has
 - (i) two wheels placed along the same longitudinal axis, a steerable wheel placed at the front of the vehicle and non-steerable wheel at the rear,
 - (ii) wheels with a diameter of not less than one hundred and eighty-five millimetres and not greater than four hundred and thirty millimetres,
 - (iii) a platform for standing between the two wheels,
 - (iv) a steering handlebar that acts directly on the steerable wheel, and
 - (v) an electric motor not exceeding five hundred watts that provides a maximum speed of thirty-two kilometres per hour;
 - (d) “Executive Director” means the position determined by the CAO to be the head of a department of the Municipality, and who is accountable to the CAO under section 36 of the *Halifax Regional Municipality Charter*;
 - (e) “multi-use pathway” means any three to four metre wide paved or crusher dust trail that forms part of a network intended for walking, bicycling, or other active modes of transportation owned by the Municipality;
 - (f) “Municipality” means the Halifax Regional Municipality;
 - (g) “owner” means any person or business operating a shared micromobility service in the Municipality;
 - (h) “park” means any land, owned, leased, or controlled by the Municipality, designated or used as parkland, including gardens, playgrounds, sports fields and beach areas;
 - (i) “roadway” means that portion of a street or highway between the curb lines or the travelled portion of a street designed for vehicular travel;
 - (ia) “shared micromobility service” means any business offering rentals of electric kick-scooters, bicycles, electric bicycles or any other similar devices that allows for a rental to begin or end on

Municipal property, and for greater clarity, does not include a business offering rentals that begin and end on private or non-municipal property;

- (j) "sidewalk" means that portion of a street between the curb line and adjacent property line or any part of a street especially set aside for pedestrian travel and separated from the roadway;
- (k) "street" means all public streets, roads, lanes, sidewalks, thoroughfares, bridges and squares, and all curbs, gutters, culverts and retaining walls in connection therewith and without restricting the generality of the foregoing includes the full right of way width; and
- (l) "traffic authority" means the traffic authority appointed by Halifax Regional Council pursuant to section 321(2) of the *Halifax Regional Municipality Charter*.

Application

3. This By-law applies to the use and operation of electric-kick scooters in the Municipality.

4.(1) Except where permitted by this By-law, the operation of an electric kick-scooter in the Municipality is prohibited.

(2) The operation of an electric kick-scooter shall only be permitted on:

- (a) roadways having a speed limit of 50 kilometers per hour or less;
- (b) bicycle lanes on any roadway; and
- (c) multi-use pathways within streets.

(3) Where permitted under subsection (2), no person shall operate an electric kick-scooter:

- (a) at a speed in excess of 25 kilometers per hour on a roadway or bicycle lane;
- (b) at a speed in excess of 15 kilometers per hour on a multi-use pathway;
- (c) on a sidewalk; or
- (d) subject to subsection (4), in a park.

(4) The Executive Director responsible for Parks & Recreation may designate parks permitting the use and operation of an electric kick-scooter.

5. No person shall park, dock, store or leave an electric kick-scooter on a highway, roadway, sidewalk, trail, path, walkway, exhibition ground or multi-use pathway in such a manner that obstructs the flow of pedestrian, cyclist or vehicular traffic.

6. The traffic authority may erect signs fixing the maximum allowable speed of electric kick-scooters where the operation of electric kick-scooters is permitted by by-law.

Abandonment Prohibited

7. No owner shall permit an electric kick-scooter to be abandoned upon any municipal property.

Information Required on Electric Kick-Scooters

8. An owner shall permanently affix an electric kick-scooter offered for use as a rental with the following information:

- (1) the name of the owner or business or both;

- (2) a valid published telephone number and address for returning the electric kick-scooter to the owner; and
- (3) a unique identification number.

Impoundment

9.(1) Any municipal employee or agent may retrieve and impound any electric kick-scooter abandoned on municipal property.

(2) Within 48 hours, the Municipality shall inform the owner that the electric kick-scooter has been impounded.

(3) An impound fee in the amount set by Administrative Order 15, *Respecting License, Permit and Processing Fees* shall apply to each electric kick-scooter impounded pursuant to subsection (1).

(4) The Municipality shall release impounded electric kick-scooters on the payment of the impound fee pursuant to subsection 9(3).

10.(1) The Municipality may sell or otherwise dispose of any impounded electric kick-scooters not retrieved by the owner within 7 working days following the date of notice.

(2) Notice is deemed to have been served on the third day after it was sent.

(3) All expenses incurred by the Municipality in seizing, removing, impounding, storing and disposing of the electric kick-scooter may be charged and recovered as a debt due from the owner.

Exemption from Encroachment License

10A. Notwithstanding By-Law E-200, the *Encroachment By-law*, an Encroachment License is not required for a shared micromobility service with an agreement with the Municipality under the Municipality's Shared Micromobility Pilot Project to install and operate docking stations and parking corrals in accordance with the agreement.

Penalties

11. A person who contravenes any section of this By-law is liable upon summary conviction to a penalty of not less than fifty dollars (\$50).

12.(1) Notwithstanding section 11, a person who operates a shared micromobility service without an agreement with the Municipality under the Municipality's Shared Micromobility Pilot Program is liable upon summary conviction to a penalty of not less than five hundred dollars (\$500) and not more than five thousand dollars (\$5,000).

(2) Every day during which an offence pursuant to subsection 12(1) continues is a separate offence.

Done and passed this 11th day of July, 2023.

MAYOR

MUNICIPAL CLERK

I, Iain MacLean, Municipal Clerk of the Halifax Regional Municipality, hereby certify that the above-noted By-law was passed at a meeting of Halifax Regional Council held on July 11, 2023.

Iain MacLean, Municipal Clerk

Notice of Motion:	June 6, 2023
First Reading:	June 20, 2023
Notice of Second Reading Publication:	June 24, 2023
Second Reading:	July 11, 2023
Approval of Minister of Municipal Affairs & Housing	N/A
Effective Date:	July 15, 2023

Amendment #1 M-301

Amending sections 2, 8, adding sections 10A, 12

Notice of Motion:	June 4, 2024
First Reading:	July 9, 2024
Notice of Second Reading Publication:	August 17, 2024
Second Reading:	September 3, 2024
Approval of Minister of Municipal Affairs & Housing	N/A
Effective Date:	December 1, 2024
